

# Order

Michigan Supreme Court  
Lansing, Michigan

September 21, 2011

Robert P. Young, Jr.,  
Chief Justice

143330

Michael F. Cavanagh  
Marilyn Kelly  
Stephen J. Markman  
Diane M. Hathaway  
Mary Beth Kelly  
Brian K. Zahra,  
Justices

PROGRESSIVE MARATHON INSURANCE  
COMPANY,

Plaintiff/Cross-Defendant-  
Appellant,

v

SC: 143330  
COA: 296502  
Ottawa CC: 09-001034-CZ

RYAN DEYOUNG and NICOLE L.  
DEYOUNG,

Defendants,

and

SPECTRUM HEALTH HOSPITALS and  
MARY FREE BED REHABILITATION  
HOSPITAL,

Intervenors/Cross-Plaintiffs-Appellees,

and

CITIZENS INSURANCE COMPANY OF  
AMERICA,

Intervenor/Cross-Defendant-Appellee.

On order of the Court, the application for leave to appeal the May 24, 2011 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall address: (1) whether an immediate family member who knows that he or she has been forbidden to drive a vehicle, and has been named in the no-fault insurance policy applicable to the vehicle as an excluded driver, but who nevertheless operates the vehicle and sustains personal injury in an accident while doing so, comes within the so-called "family joyriding exception" to MCL 500.3113(a); and (2) if so, whether the "family joyriding exception" should be limited or overruled.

The Michigan Association for Justice, the Michigan Insurance Federation, the Michigan Defense Trial Counsel, Inc., the Michigan Health and Hospital Association, and the Commissioner of Insurance are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented may move the Court for permission to file briefs amicus curiae.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 21, 2011

*Corbin R. Davis*

Clerk